

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2020

Coram

The Honourable Mr.Justice **M.M.SUNDRESH**
and
The Honourable Mr.Justice **KRISHNAN RAMASAMY**

Original Side Appeal Nos.338 & 339 of 2019

1.Koyenco Soaps and Detergents Pvt. Ltd.,
39/53C, Koyenco House,
West Hill P.O., Calicut-673 005,
Kerala.

2..Koyenco Consumer Products Pvt. Ltd.,
39/53C, Koyenco House,
West Hill P.O., Calicut-673 005,
Kerala.

... Appellants in both
O.S.As.

Vs.

Ashique Exports (P) Ltd.,
represented by its Manager Legal
Mr.Biju Sukumaran,
Touchstone Apartments,
No.10, New No.25, Vasu Street,
Kilpauk, Chennai-600 010.

... Respondent in
both O.S.As.

Original Side Appeals are filed under Order XXXVI Rule 1 of the Original Side Rules read with Section 15 of the Letters Patent against the common order dated 04.12.2019 made in Original Application Nos.857 and 858 of 2017 in C.S.No.687 of 2017.

For Appellants : Mr.Arun C.Mohan
in both appeals

For Respondent : Mr.Perumbulavil Radhakrishnan
in both appeals

COMMON JUDGMENT

(Judgment of the Court was delivered by **M.M.SUNDRESH,J.**)

These appeals have been preferred against the common order dated 04.12.2019 passed by the learned single in Original Application Nos.857 and 858 of 2017 in C.S.No.687 of 2017, extending the interim order up to 15.02.2020.

2. The learned counsel appearing for the appellant would submit that atleast for grant of an interim order, there must be an explanation and hence, the appeals have to be allowed.

3.At the time of entertaining the applications, interim orders were granted for a limited period. However, the same was not extended thereafter. To be noted, the learned single Judge, perhaps with a view to take up the applications and dispose of the same, merely extended them. Therefore, obviously no reasons have been assigned.

4. One thing is clear. The applications are still pending. Similarly, the suit is also at the trial stage. Therefore, we do not want to express anything on merits of the case and while extending the interim order passed on 04.12.2019, we request the learned single judge to dispose of O.A.Nos.857 and 858 of 2017 in C.S.No.687 of 2017 within a period of four weeks from the date of receipt of a copy of this order. Accordingly, the interim order is extended till then.

5. These original side appeals are disposed of accordingly. No costs.

(M.M.S.,J.) (K.R.,J.)
21.01.2020

Note: Issue order copy on 23.01.2020.

Index:Yes/No
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**M.M.SUNDRESH,J.
and
KRISHNAN RAMASAMY,J.**



O.S.A.Nos.338 & 339 of 2019

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